

**B.A. LL.B. (5 YEAR DEGREE COURSE) SEM-VI (CBCS - 2015
COURSE) : SUMMER - 2018**

SUBJECT: SPECIAL CONTRACT

Day: **Friday**
Date: **20/04/2018**

S-2018-1298

Time: **10.00 AM TO 01.00 PM**
Max. Marks: 60

N.B:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 A) A contracts to indemnify B against the consequences of proceedings which C may take against B in respect of a certain sum of money. C obtains judgment against B for the amount. Without paying any portion of the decree amount, B sues A for its recovery. Will B succeed?

OR

B) A gives some cloth to a tailor for making a suit of it. The tailor's charges are settled at Rs. 4000. After the suit is ready A tenders Rs. 4000 for the charges but the tailor refuses to deliver the suit till A pays an old debt of Rs. 1000. Is the tailor entitled to do so?

Q.2 A) Define Pledge. What are the respective rights and duties of pawnor and pawnee?

OR

B) What are the requisites of a valid endorsement? Explain the different kinds of endorsements with suitable examples.

Q.3 A) Write short notes on:
i) Contract of Guarantee
ii) Finder of goods

B) Write short notes on:
i) Holder and Holder in due course
ii) Sub agent and Substituted agent

Q.4 A) What is a contract of agency? Explain various modes of terminating agency.

OR

B) Elucidate the essential elements of contract of sale of goods and bring out clearly the distinction between a sale and an agreement to sale.

Q.5 A) 'Although sharing of profits is an essential element of partnership, it is not the sole test.' Comment.

OR

B) What is meant by dishonour by non-acceptance and dishonour by non-payment? Explain the effect of dishonour of negotiable instruments.

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